



P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: STEVEN E. WALAK

Confirmation No.: 3380

Serial No.: 10/725,890

Examiner: Unknown

Filed: DECEMBER 02, 2003

Group Art Unit: 3739

For: COMPOSITE MEDICAL DEVICE AND METHOD OF FORMING

Docket No.: 1001.1632101

TRANSMITTAL SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

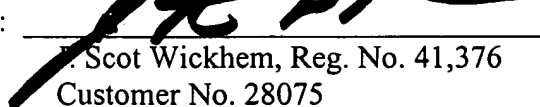
CERTIFICATE UNDER 37 C.F.R. 1.8: I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22nd day of APRIL, 2004.

By 
J. Scot Wickhem

Dear Sir:

We are transmitting herewith the attached:

- ☒ Information Disclosure Statement under 37 C.F.R. §1.97(b)
- ☒ Form PTO-1449 listing Twenty-eight (28) references
- ☒ Copy of One (1) non-published U.S. Patent Application is enclosed
- ☒ Copies of Eight (8) non-patent literatures are enclosed
- ☒ Return Postcard.
- ☒ Please charge any deficiencies or credit any overpayment in the enclosed fees to Deposit Account No. 50-0413.

By: 
J. Scot Wickhem, Reg. No. 41,376
Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349



PATENT

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INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b))

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By 
J. Scot Wickhem

Dear Sir:

Pursuant to the obligations of candor and good faith imposed by 37 C.F.R. 1.56, the items of information listed on the attached PTO-1449 is hereby disclosed.

This statement should be considered because it is submitted before the mailing date of a first Office Action on-the-merit. Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.


No representation is intended to be made hereby that any of the cited references establishes, by itself or in combination with other information, a prima facie case of unpatentability of any claim of the present case.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each foreign patent documents, non-published patent application, and non-patent literature listed on the enclosed Form PTO-1449 is provided.


Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Respectfully submitted,

Date: April 22, 2004


J. Scot Wickhem, Reg. No. 41,376
Customer No. 28075

CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349

FORM PTO-1449* INFORMATION DISCLOSURE STATEMENT 	Atty. Docket No.: 1001.1632101	Serial No.: 10/725,890
	Applicant: STEVEN E. WALAK	
	Confirmation No.: 3380	
	Filing Date: DECEMBER 02, 2002	Group Art: 3739

IN AN APPLICATION
 (Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	FILING DATE IF APPROPRIATE
	10/346,698		Art Miller et al.		01/17/2003
	4,842,590	06/27/1989	Tanabe et al.		
	5,001,825	03/26/1991	Halpern		
	5,061,257	10/29/1991	Martinez et al.		
	5,238,004	08/24/1993	Sahatjian et al.		
	5,308,342	05/03/1994	Sepetka et al.		
	5,437,632	08/01/1995	Engelson		
	5,636,641	06/10/1997	Fariabi		
	5,697,906	12/16/1997	Ariola et al.		
	6,019,736	02/01/2000	Avellanet et al.		
	6,039,699	03/21/2000	Viera		
	6,142,975	11/07/2000	Jalisi et al.		
	6,340,441	01/22/2002	Meyer et al.		
	6,368,316	04/9/2002	Jansen et al.		
	6,387,060	05/14/2002	Jalisi		
	6,508,803	01/21/2003	Horikawa et al.		
	6,595,958	07/22/2003	Mickley		
	6,596,005	07/22/2003	Kanz et al.		
	6,610,930	08/26/2003	Seuntjens		
	US 2002/0007958	01/24/2002	Rivelli et al.		

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	TRANSLATION	
					YES	NO

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	Nam et al., "Phase transformation behavior and wire drawing properties of Ti-Ni-Mo shape memory alloys," <i>J. Materials Sci.</i> , 36(17):4181-4188, 2001.
	Miyazaki et al., "Recent Development in TiNi-based Shape Memory Alloys," Part of SPIE Conference on Smart Materials Technologies, <i>SPIE</i> , 3324:2-13, 1998.
	Sakum et al., "Effect of Copper Content on Superelasticity Characteristics in Ti-Ni and Ti-Ni-Cu Alloy Wires," <i>Materials Transactions</i> , 43(5):828-833, 2002.
	Siddons et al., "Tensile and compression performance of superelastic NiTi tubing," <i>Materials Science and Technology</i> , 17(9):1073-1078, September 2001.
	Yea-Yang Su, "The quest for wire surface quality for medical applications," Article from <i>Georgia Institute of Technology</i> , pgs. 112-118.
	S.K. Wu et al., "Wire drawing conducted in the R-phase of TiNi shape memory alloys," <i>Materials Letters</i> , 46:175-180, November 2000.
	Xu et al., "Fabrication of TiNi/CFRP smart composite using cold drawn TiNi wires," <i>Proc. SPIE</i> , Vol. 4699:564-574, 2002.
	Yoshida et al., "The drawability of Ni-Ti shape-memory alloy wires," <i>Wire</i> , 45(2):89-94, 1995.

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